

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

STEPHANIE H. McADAMS AND GORDON McADAMS

PLAINTIFFS

V.

CIVIL ACTION NO. 1:06cv463-LTS-RHW

USAA CASUALTY INSURANCE COMPANY  
AND BANCCORPSOUTH BANK

DEFENDANTS

**ORDER**

After a thorough review of the record, and under the standards of Fed. R. Civ. P. 56, it can not be said at this stage of the proceedings that there are no genuine issues of material fact and that Defendant USAA Casualty Insurance Company is entitled to judgment as a matter of law. Therefore, said Defendant's [45] Motion for Summary Judgment or, Alternatively, Partial Summary Judgment, is not well taken.

Accordingly, **IT IS ORDERED:**

Defendant USAA Casualty Insurance Company's [45] Motion for Summary Judgment or, Alternatively, Partial Summary Judgment, is **DENIED**.

**SO ORDERED** this the 10<sup>th</sup> day of September, 2007.

s/ L. T. Senter, Jr.  
L. T. SENTER, JR.  
SENIOR JUDGE